

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Case No. 20-CV-5855

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ESTEBAN MARQUEZ,

Plaintiff,

vs.

**ORDER TO SHOW CAUSE**

INDIAN TAJM INC.  
d/b/a SANTOOR INDIAN RESTAURANT  
BALVINDER SINGH, HARMINDER SINGH,  
JOGINDER SINGH, KIRPAL SINGH, and  
MEHANGA SINGH.

Defendants.  
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Upon the affidavit of Jugraj Kaur, and related exhibit(s) sworn to on the 18th day of July, 2025, and the affidavit of John Giannitelli and the related exhibit(s) sworn to on the 18th day of July, 2025, and the affirmation and embedded Memo of Law of Manuel Moses, Esq., of the Moses Law Office of New York PLLC dated July 18th, 2025, and upon all of pleadings had heretofore herein, it is;

**ORDERED**, that the above-named Plaintiff show cause before this Court at Room \_\_\_\_, United States Courthouse, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, on the \_\_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ o'clock in the \_\_\_\_\_ thereof, or as soon thereafter as counsel may be heard, *or by virtual hearing* by logging into \_\_\_\_\_, why should an order not be issued:

(1) pursuant to FRCP Rules 55(C) and/or 60(B)(4) vacating the default judgment entered against defendant Kirpal Singh on the basis that the judgment is void due to improper and insufficient service upon him thereby depriving this Court of jurisdiction over Mr. Kirpal Singh; and (2) pursuant to FRCP Rules 4, 12(b)2, 12(b)4 and 12(b)(5) dismissing all claims against Mr. Kirpal Singh due to improper and insufficient services of process and this Court's lack of

personal jurisdiction over him; and;

(2) That he now seeks dismissal based on the defense of laches and unreasonable delay causing him to be prejudiced and his inability to defend due to mental incapacity.

(3) In the alternative to interpose a late answer along with affirmative defenses.

**IT IS FURTHER ORDERED** that a copy of this order, together with the papers upon which it is granted, be served on Plaintiff, through his counsel, Moser Law Firm, P.C. via ECF and the other Defendants on or before the \_\_\_\_\_ day of \_\_\_\_\_ 2025 and that such service be deemed good and sufficient.

Dated: Brooklyn, New York

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Honorable Robert M. Levy  
UNITED STATES DISTRICT JUDGE